

**UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

IN RE

ERIKA LYN HEINZ

CASE NO.

17-33634-H4-13

CHAPTER 13

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**OBJECTION TO MOTION FOR VALUATION  
AND TO CONFIRMATION OF CHAPTER 13 PLAN**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, Credit Human Federal Credit Union, Respondent, and files this objection to the Motion for Valuation and Chapter 13 Plan of Reorganization filed by the Debtor, ERIKA LYN HEINZ, in the above-referenced case and would show the court that the Debtor's plan should not be confirmed and in support thereof would show as follows:

1. Respondent objects to the valuation set forth in Debtor's Motion for Valuation.

Collateral: 2013 Ford Edge-4Cyl Utility 4D Limited 2WD, VINXXXX4456

Respondent's asserted value: \$13,550.00;

Scheduled by debtor: \$9,000.00

For purposes of the Section 503(b)(1) adequate protection claim granted Respondent (1.25% of the average of the NADA retail and wholesale value) under the *Order Authorizing Use Of Vehicles Pursuant to 11 U.S.C. §363 And Providing Adequate Protection To Lien Holders* entered by this Court as a part of the Initial Order For Case Management Of Chapter 13 Case, the value listed in the Plan is well below the actual value of the vehicle and will result in a lack of adequate protection of Respondent's interests.

WHEREFORE, PREMISES CONSIDERED, Respondent respectfully requests the court to deny confirmation of the plan as proposed and to further deny the Motion for Valuation as proposed.

Respectfully Submitted

DON J. KNABESCHUH, ATTORNEY AT LAW

/s/ Don J. Knabeschuh  
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**CERTIFICATE OF SERVICE**

I, DON J. KNABESCHUH, certify that on July 17, 2017, I either served electronically by ECF or mailed by U.S. Mail, postage prepaid, a copy of the above and foregoing Objection to Valuation and Objection to Chapter 13 Plan to the Debtor(s), Erika Lyn Heinz, the Attorney for the Debtor(s), J Thomas Black, and to the Chapter 13 Trustee, David G Peake , at the addresses listed below:

David G Peake  
Chapter 13 Trustee  
9660 Hillcroft, Suite 430  
Houston, TX 77096-3856

Erika Lyn Heinz  
9939 Opal Rock Drive  
Rosharon, TX 77583

J Thomas Black  
Attorney at Law  
2600 S. Gessner Rd., Suite 110  
Houston, TX 77063  
Attorney for Debtor

/s/ Don J. Knabeschuh